

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12237 of Richard J. Donohoe and Barney Dreyfuss trustees, for a special exception to continue the operation of a parking lot under Paragraph 3101.48 in the R-1-B District at rear 1855 Wisconsin Avenue, N.W. (Square 1299, Lot 1009).

HEARING DATE: November 17, 1976
DECISION DATE: November 2, 1977

FINDINGS OF FACT:

1. The subject property is located at the rear of 1855 Wisconsin Avenue, N.W. and at the time of the Public Hearing of November 17, 1976 was in an R-1-B District.
2. By BZA Order No. 7728 the Board conditionally approved the establishment of the subject parking lot for a period of two years.
3. By BZA Order No. 8367, dated March 15, 1966, the Board conditionally approved the continuance of this parking lot for a period of five years.
4. By BZA Order No. 10707, dated August 17, 1971, the Board approved conditionally the continuance of the subject parking lot for a period of five years.
5. By ZC Order No. 76-4, dated August 11, 1977, part of the subject property was rezoned from R-1-B to C-1.
6. A parking lot is a use permitted as a matter-of-right in a C-1 District.
7. By BZA Order No. 12237, dated September 16, 1977, the Board DISMISSED AS MOOT the subject application, erroneously stating that the entire lot had been rezoned to C-1.

8. On September 26, 1977 applicant filed a motion for reconsideration on the grounds that the Board had erred, in that the aforementioned August 11, 1977 Order of the ZC zoned only the southern portion of lot 1009 in Square 1299 as C-1, (now designated as Lot 1016) but did not rezone the remaining portion of lot 1009 (now designated as lot 1017). The applicant now seeks approval to continue parking upon the newly designated lot 1017 which is zoned R-1-B.

9. On November 2, 1977 the Board GRANTED the motion for Reconsideration.

10. The Board reaffirms in this application its findings made in the aforementioned BZA Orders Nos. 8367 and 10707.

11. The Department of Transportation, in its report dated August 20, 1976, stated that the subject parking lot is for the patrons and employees of a Boys Club and nearby stores. Approval of the application was conditioned upon the cleaning up of trash and debris.

12. The Municipal Planning Office, by report dated October 15, 1976, recommended approval of the application under the same conditions as specified in the previous BZA Order Nos. 8367 and 10707.

13. Advisory Neighborhood Commission 3-A filed no report in the application.

14. The Citizens Association of Georgetown requested that no extension for the parking lot be granted until the applicant's address was correctly advertised and it had an opportunity to be heard. The Board ruled that the correct address had been advertised.

CONCLUSIONS OF LAW:

The Board is of the opinion that the continuation of the subject parking lot will not create any dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected and that the lot is reasonably necessary and convenient

to other uses in the vicinity. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following conditions:

a. Approval shall be for a period of three (3) years but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

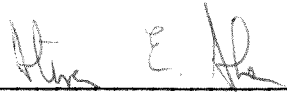
g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures or otherwise permitted in the zoning district in which the parking lot is located.

h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 5-0 (Chloethiel Woodard Smith, Walter B. Lewis, Charles R. Norris, William F. McIntosh and Leonard L. McCants)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

5 JAN 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
INLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT
IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOP-
MENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE
OF THIS ORDER